

AMENDED IN ASSEMBLY AUGUST 15, 2005

AMENDED IN ASSEMBLY JULY 13, 2005

AMENDED IN SENATE APRIL 5, 2005

SENATE BILL

No. 724

Introduced by Senator Scott

(Coauthors: Senators Ashburn, Battin, Cedillo, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, ~~Perata, Romero, Runner, and Soto~~ Murray, Perata, Romero, Runner, Soto, and Vincent)

(Coauthors: Assembly Members Arambula, ~~Bogh, Cohn, De La Torre, Baca, Bermudez, Bogh, Calderon, Chavez, Cohn, Coto, De La Torre, Dymally, Emmerson, Garcia, Shirley Horton, Jerome Horton, Shirley Horton, Houston, Huff, Jones, La Suer, McCarthy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Ruskin, Montanez, Mountjoy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Ridley-Thomas, Ruskin, Saldana, Salinas, Strickland, Torrico, Vargas, and Villines~~)

February 22, 2005

An act ~~to amend Section 66010.4 of, and to add Article 4.5 (commencing with Section 66040) to Chapter 2 of Part 40 of, the Education Code, relating to the California State University public postsecondary education.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 724, as amended, Scott. *Public postsecondary education: California State University: Doctor of Education degrees.*

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their

respective institutions of higher education. Provisions of the act do not apply to the University of California unless the regents of the university act, by resolution, to make them applicable.

Among other things, the act provides that the University of California has exclusive jurisdiction in public higher education to award the doctoral degree in all fields of learning, except that it may agree with the California State University to award joint doctoral degrees in selected fields. With respect to doctoral degrees, the act limits the California State University to awarding these degrees jointly with the University of California, as described above, or jointly with independent institutions of higher education, provided that the proposed doctoral program is approved by the California Postsecondary Education Commission.

This bill would instead authorize the California State University to award the Doctor of Education degree, and prescribe standards for the awarding of that degree. The bill would require the California State University, the Department of Finance, and the Legislative Analyst's Office to jointly conduct, in accordance with prescribed criteria, a statewide evaluation of the doctoral programs implemented under the bill and to report the results of the evaluation, in writing, to the Legislature and the Governor on or before January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 66010.4 of the Education Code is~~
2 ~~amended to read:~~
3 ~~66010.4. The missions and functions of California's public~~
4 ~~and independent segments, and their respective institutions of~~
5 ~~higher education shall be differentiated as follows:~~
6 ~~(a) (1) The California Community Colleges shall, as a~~
7 ~~primary mission, offer academic and vocational instruction at the~~
8 ~~lower division level for both younger and older students,~~
9 ~~including those persons returning to school. Public community~~
10 ~~colleges shall offer instruction through but not beyond the second~~
11 ~~year of college. These institutions may grant the associate in arts~~
12 ~~and the associate in science degree.~~

1 ~~(2) In addition to the primary mission of academic and~~
2 ~~vocational instruction, the community colleges shall offer~~
3 ~~instruction and courses to achieve all of the following:~~

4 ~~(A) The provision of remedial instruction for those in need of~~
5 ~~it and, in conjunction with the school districts, instruction in~~
6 ~~English as a second language, adult noncredit instruction, and~~
7 ~~support services which help students succeed at the~~
8 ~~postsecondary level are reaffirmed and supported as essential and~~
9 ~~important functions of the community colleges.~~

10 ~~(B) The provision of adult noncredit education curricula in~~
11 ~~areas defined as being in the state's interest is an essential and~~
12 ~~important function of the community colleges.~~

13 ~~(C) The provision of community services courses and~~
14 ~~programs is an authorized function of the community colleges so~~
15 ~~long as their provision is compatible with an institution's ability~~
16 ~~to meet its obligations in its primary missions.~~

17 ~~(3) A primary mission of the California Community Colleges~~
18 ~~is to advance California's economic growth and global~~
19 ~~competitiveness through education, training, and services that~~
20 ~~contribute to continuous workforce improvement.~~

21 ~~(4) The community colleges may conduct to the extent that~~
22 ~~state funding is provided, institutional research concerning~~
23 ~~student learning and retention as is needed to facilitate their~~
24 ~~educational missions.~~

25 ~~(b) (1) The California State University shall offer~~
26 ~~undergraduate and graduate instruction through the master's~~
27 ~~degree in the liberal arts and sciences and professional education,~~
28 ~~including teacher education. Presently established two-year~~
29 ~~programs in agriculture are authorized, but other two-year~~
30 ~~programs shall be permitted only when mutually agreed upon by~~
31 ~~the Trustees of the California State University and the Board of~~
32 ~~Governors of the California Community Colleges.~~

33 ~~(2) (A) The doctoral degree may be awarded jointly with the~~
34 ~~University of California, as provided in subdivision (c) and~~
35 ~~pursuant to Section 66904. The doctoral degree may also be~~
36 ~~awarded jointly with one or more independent institutions of~~
37 ~~higher education, provided that the proposed doctoral program is~~
38 ~~approved by the California Postsecondary Education~~
39 ~~Commission.~~

~~(B) The California State University may award the Doctor of Education (Ed.D.) degree in accordance with Article 4.5 (commencing with Section 66040).~~

~~(3) Research, scholarship, and creative activity in support of its undergraduate and graduate instructional mission is authorized in the California State University, and shall be supported by the state. The primary mission of the California State University is undergraduate and graduate instruction through the master's degree.~~

~~(e) (1) The University of California may provide undergraduate and graduate instruction in the liberal arts and sciences and in the professions, including the teaching professions. It shall have exclusive jurisdiction in public higher education over instruction in the profession of law and over graduate instruction in the professions of medicine, dentistry, and veterinary medicine.~~

~~(2) The University of California has the sole authority in public higher education to award the doctoral degree in all fields of learning, except as provided in subdivision (b). The University of California shall be the primary state-supported academic agency for research.~~

~~(d) The independent institutions of higher education shall provide undergraduate and graduate instruction and research in accordance with their respective missions.~~

~~SEC. 2.~~

SECTION 1. Article 4.5 (commencing with Section 66040) is added to Chapter 2 of Part 40 of the Education Code, to read:

Article 4.5. Doctoral Programs in Education

66040. The Legislature finds and declares both of the following:

(a) Since its adoption in 1960, the Master Plan for Higher Education has served the state exceedingly well, allowing California to create the largest and most distinguished higher education system in the nation. A key component of the Master Plan is the differentiation of mission and function, whereby doctoral and identified professional programs are limited to the University of California, with the provision that *the* California State University can provide doctoral education in joint doctoral

1 degree programs with the University of California and
2 independent California colleges and universities. This
3 differentiation of function has allowed California to provide
4 universal access to postsecondary education while preserving
5 quality.

6 (b) Because of the urgent need for well-prepared
7 administrators to lead public school and community college
8 reform efforts, the State of California is hereby making an
9 exception to the differentiation of function in graduate education
10 that assigns exclusive authority among the California public
11 higher education segments to the University of California for
12 awarding doctoral degrees independently. This exception to the
13 Master Plan for Higher Education recognizes the urgency of
14 meeting critical public school and community college leadership
15 needs and the distinctive strengths and respective missions of the
16 California State University and the University of California.

17 66040.3. (a) Pursuant to Section 66040, and *notwithstanding*
18 *Section 66010.4*, in order to meet specific educational leadership
19 needs in the California public schools and community colleges,
20 the California State University is authorized to award the Doctor
21 of Education (Ed.D.) degree in accordance with this section. The
22 authority to award degrees granted by this article is limited to the
23 discipline of education. The Doctor of Education degree offered
24 by the California State University shall be distinguished from
25 doctoral degree programs at the University of California by its
26 adherence to the requirements of subdivision (b).

27 (b) The Doctor of Education degree offered by the California
28 State University shall be focused on preparing administrative
29 leaders for California public elementary and secondary schools
30 and community colleges *and on the knowledge and skills needed*
31 *by administrators to be effective leaders in California public*
32 *schools and community colleges*. The Doctor of Education degree
33 offered by the California State University shall be ~~based in~~
34 *offered through* partnerships through which the California public
35 elementary and secondary schools and community colleges shall
36 participate substantively in program design, candidate
37 recruitment and admissions, teaching, and program assessment
38 and evaluation. This degree shall enable professionals to earn the
39 degree while working full time.

1 (c) Nothing in this article shall be construed to limit or
2 preclude the California Postsecondary Education Commission
3 from exercising its authority under Chapter 11 (commencing
4 with Section 66900) to review, evaluate, and make
5 recommendations relating to, any and all programs established
6 under this article.

7 66040.5. With regard to funding the degree programs
8 authorized in Section 66040.3, the California State University
9 shall follow all of the following requirements:

10 (a) Funding on a per full-time equivalent student (FTES) basis
11 for each new student in these degree programs shall be funded
12 from within the California State University's planned enrollment
13 growth of 2.5 percent per year from 2006 to 2010, inclusive.
14 After 2010, enrollments for these programs shall be within
15 enrollment growth levels agreed to by the California State
16 University with the Governor and the Legislature. Enrollments in
17 these programs shall not alter the California State University's
18 ratio of graduate instruction to total enrollment, and shall not
19 come at the expense of enrollment growth in university
20 undergraduate programs. Funding provided from the state for
21 each FTES shall be at the agreed-upon marginal cost calculation
22 that the California State University receives.

23 (b) Each student in the programs authorized by this article
24 shall be charged fees no higher than the rate charged for students
25 in state-supported doctoral degree programs in education at the
26 University of California, including joint Ed.D. programs of the
27 California State University and the University of California.

28 (c) The California State University shall provide any startup
29 funding needed for the programs authorized by this article from
30 within existing budgets for academic programs support, without
31 diminishing the quality of program support offered to California
32 State University undergraduate programs. Funding of these
33 programs shall not result in reduced undergraduate enrollments at
34 the California State University.

35 66040.7. The California State University, the Department of
36 Finance, and the Legislative Analyst's Office shall jointly
37 conduct a statewide evaluation of the new programs implemented
38 under this article. The results of the evaluation shall be reported,
39 in writing, to the Legislature and Governor on or before January

1 1, 2011. The evaluation required by this section shall consider all
2 of the following:

3 (a) The number of new doctoral programs in education
4 implemented, including information identifying the number of
5 new programs, applicants, admissions, enrollments, degree
6 recipients, time-to-degree, attrition, and public school and
7 community college program partners.

8 (b) The extent to which the programs established under this
9 article are fulfilling identified state needs for training in
10 educational leadership, including statewide supply and demand
11 data that considers capacity at the University of California and in
12 California's independent colleges and universities.

13 (c) Information on the place of employment of students and
14 the subsequent job placement of graduates.

15 (d) Any available evidence on the effects that the graduates of
16 the programs are having on elementary and secondary school and
17 community college reform efforts and on student achievement.

18 (e) Program costs and the fund sources that were used to
19 finance these programs, including a calculation of cost per degree
20 awarded.

21 (f) The costs of the programs to students, the amount of
22 financial aid offered, and student debt levels of graduates of the
23 programs.

24 (g) The extent to which the programs established under this
25 article are in compliance with the requirements of this article.